

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA**

**UNITED STATES OF AMERICA**

\*

**CRIMINAL DOCKET NO. 11-055**

**v.**

\*

**SECTION: "C"**

**CHAUNCEY AYROW**

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\* \* \*

**FACTUAL BASIS**

The above-named defendant, **CHAUNCEY AYROW**, has agreed to plead guilty to count one and two of the Indictment in this case. Should this matter have proceeded to trial, the United States of America would have proven beyond a reasonable doubt, through the introduction of relevant, competent, and admissible testimonial, physical and demonstrative evidence, the following facts to support the allegation against the defendant, ("**AYROW**"):

On February 17, 2010 at approximately 14:20, Agent Barbera conducted a traffic stop on a Black Chevy Impala rental car bearing tag N280009 traveling westbound on Highway 90. The traffic stop occurred within the Eastern District of Louisiana. Once the vehicle stopped, **AYROW** (the driver) immediately exited the vehicle to meet Barbera at the police car. **AYROW** produced a LA ID and told Barbera he did not have a license at all.

**AYROW** advised that he had driven to NOLA and was on his way home. **AYROW** indicated that he didn't have any destination in NOLA but was merely hanging out. Barbera conducted a pat down and found no weapons but felt a large cash in front pocket. Barbera advised **AYROW** to stand near the police cruiser.

Barbera then went to talk with the passenger MOSELY. MOSELY produced a driver's license. MOSELY stated that they were just riding around NOLA. MOSELY was also nervous. Barbera smelled marijuana coming from the vehicle and then asked **AYROW** to get back into his rental car and wait while he checked their warrants.

Barbera checked the warrants and also asked for a K-9 backup. After the K-9 arrival, Barbera asked **AYROW** if there was any narcotics in the vehicle. **AYROW** denied any contraband. Barbera asked for permission to search and **AYROW** denied permission because it was a rental car. After informing **AYROW** that he was in control of the car and could give permission, he declined to do so.

Barbera then removed MOSELY from the car and conducted a pat down and discovered a similar wad of cash on MOSELY, and MOSLEY stated it was approximately \$1,000.00. Barbera also smelled MOSELY and he smelled of marijuana. K-9 Officer Scales utilized K-9 "Scotch" to conduct a free air sweep of the vehicle and the dog alerted to the presence of a controlled substance.

Agent Barbera opened the glove box and discovered four packages of cocaine. The cocaine was field tested and it tested positive for cocaine. The cocaine was tested by the DEA lab and the final net weight is 435.8 net grams of cocaine hydrochloride. For purposes of calculating drug quantities pursuant to United States Sentencing Guidelines §2D1.1, **AYROW** was

responsible for the trafficking of 435.8 net grams of cocaine hydrochloride in Eastern District of Louisiana during the course and scope of the conspiracy.

**AYROW** admits that he possessed these four packages of cocaine and was transporting them for distribution within the Eastern District of Louisiana and elsewhere. **AYROW** admits that his possession with the intent to distribute in the Eastern District of Louisiana and elsewhere was a violation of the Federal Controlled Substances Act and his transportation of the narcotics was a drug conspiracy in that he agreed to distribute narcotics in violation of Federal law.

W. SCOTT LARAGY  
Assistant United States Attorney

Date

CHAUNCEY AYROW  
Defendant

EDDIE JORDAN  
Attorney for Defendant